

ROBERT H. WILDE #3466
BRUCE M. FRANSON #10792
ROBERT H. WILDE, ATTORNEY AT LAW, P.C.
935 East South Union Avenue Suite D-102
Midvale, Utah 84047
Telephone: (801) 255-4774
Fax: (801) 566-5202

Attorneys for Defendant Thomas Jefferson School of Law

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

JESSE ANNE MAJORS, Plaintiff, v. THOMAS JEFFERSON SCHOOL OF LAW, et al, Defendants,	MEMORANDUM OPPOSING MOTION TO EXTEND FILING DEADLINE [DKT 14] Case No.: 2:11cv00558 CW
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Plaintiff has moved the court for an order extending the time for her to respond to Defendant's Motion to Dismiss, Docket No. 3. The docket shows that on June 29, 2011 Plaintiff filed her Objection to Motion to Dismiss, Docket no. 9. DUCivR 7-1(b)(3) specifically addresses this situation. It allows for a motion and moving memorandum, an opposing memorandum, which is what Plaintiff's Objection (Docket No. 9) was. The rule specifically provides "no other memoranda will be allowed without leave of court." Plaintiff's objection, brief as it was, was her opposing

memorandum. She is not entitled to supplement it further.

Plaintiff included in her extension motion a recitation of reasons she could not answer timely. The Motion to Dismiss was filed on June 16, 2011. Plaintiff responded with her objection on June 29, 2011, failing to take advantage of the 28 days allowed for her response under DUCivR 7-1(4). While the Plaintiff's reasons may well have constituted "good cause" under Rule 6(b)(1)(A) Fed. R. Civ. P. had she requested an extension prior to the running of the 28 days allowed by DUCivR 7-1(4) once she responded the issue of good cause was moot.

Given the pleading standards currently in force flowing from the Supreme Court's *Twombly* and *Iqbal* opinions the extension Plaintiff seeks would be futile given the state of Plaintiff's Amended Complaint. The court should deny the extension motion and set the Motion to Dismiss for hearing.

DATED this 8th day of July, 2011.

/s/ Robert H Wilde _____
ROBERT H. WILDE
Attorney for Defendant Thomas Jefferson School of Law

Delivery Certificate

I hereby certify that I caused a true and correct copy of the foregoing Memorandum to be served by the method(s) indicated below and addressed to the following on this 8th day of July, 2011.

Jesse Anne Majors
6649 South 5500 West
West Jordan, Utah 84081
Jessemajors@netscape.com

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/s/ Robert H Wilde